

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DARREN D. FARRIS,,

Plaintiff,

v.

ROGER E. WALKER, et. al.,

Defendants.

No. 03-CV-0748-DRH

ORDER

HERNDON, District Judge:

On November 10, 2003, Darren Farris, a former inmate in the Shawnee Correctional Center, filed this lawsuit for deprivations of his constitutional rights pursuant to **42 U.S.C. § 1983** (Doc. 1).

Pursuant to **28 U.S.C. § 636(b)(1)(B)**, Magistrate Judge Clifford J. Proud submitted a Report and Recommendation ("the Report") on January 5, 2006 (Doc. 14). The Report recommends that the Court dismiss with prejudice Plaintiff's cause of action for want of prosecution pursuant to **Federal Rule of Civil Procedure 41(b)**.¹

The Report was sent to the parties with a notice informing them of their right to appeal by way of filing "objections" within ten days of service of the Report.

¹Via notice and Order sent by mail on December 7, 2005, Magistrate Judge Proud set this matter for hearing on January 5, 2006 regarding Defendants' pending motion to dismiss (Doc. 11). On December 12, 2005, Farris' Notice and Order were returned to the Clerk of the Court as undeliverable (Doc. 12). Farris did not attend the January 5, 2006 hearing.

To date, none of the parties has filed objections. The period in which to file objections has expired. Therefore, pursuant to **28 U.S.C. § 636(b)**, this Court need not conduct *de novo* review. ***Thomas v. Arn*, 474 U.S. 140, 149-52 (1985)**.

Accordingly, the Court **ADOPTS** the Report (Doc. 14). Pursuant to **Federal Rule of Civil Procedure 41(b)**, the Court **DISMISSES with prejudice** Plaintiff's cause of action for failure to prosecute. Further, the Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

IT IS SO ORDERED.

Signed this 23rd day of January, 2006.

/s/ David RHerndon
United States District Judge